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In The Matter Of:
*UNITED STATES OF AMERICA, V
JAMES GATTO ET AL.,*

October 2, 2018

Southern District Court Reporters

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<p>1 so they would attend Adidas schools, promote the Adidas brand, 2 in the hopes that when these kids made it to the NBA, then the 3 defendants could make millions off of them.</p> <p>4 But the defendants knew that the only way to make 5 their scheme work, the only way for the defendants to get any 6 return on their investment, was to keep the payments secret, 7 because in the world of college basketball these payments were 8 prohibited. Colleges could not, and would not, issue athletic 9 scholarships to players whose families had accepted money. And 10 if the players didn't get these scholarships and if they 11 couldn't play college basketball and if they weren't able to 12 wear the Adidas brand and in games on national television, the 13 defendants couldn't make any money off of them.</p> <p>14 So to make their scheme work, to make a profit, the 15 defendants did not simply have to make payments to the families 16 of student athletes. They needed to conceal these payments 17 from the schools. They had to lie about them in fake invoices. 18 They had to hide them using secret second phones and cash 19 handoffs in hotel rooms and parking lots, all to make sure that 20 the universities did not know, so that the schools would issue 21 athletic scholarships even though those players were no longer 22 eligible to compete.</p> <p>23 And the defendants did this knowing that if the 24 payments were ever discovered, the players and the schools 25 would be in big trouble, and subject to very significant</p>		<p>1 So, what will the evidence show? You will learn that 2 top colleges, like the University of Louisville, issue 3 scholarships each year to student athletes in a wide variety of 4 sports. The primary qualification for receiving such a 5 scholarship is that the student athletes are eligible to 6 compete, because, as you'll learn, schools, like Louisville, 7 participate in a National Collegiate Athletic Association, or 8 NCAA. It is an organization that oversees college sports 9 across the country. And all members, including places like 10 Louisville, agree to follow the same rules. And the most 11 fundamental rule there is is that only amateur athletes are 12 allowed to compete. And you'll learn that what this means is 13 that the players can't be paid and their families can't try to 14 be paid either, regardless of whether their child knows or 15 doesn't know.</p> <p>16 And you'll learn that universities must follow this 17 rule, because a lot is riding on it. The university's failure 18 to follow this cardinal rule can result in all sorts of 19 financial penalties, including fines, loss of revenue, 20 probation, even the loss of a national championship. Each of 21 these three defendants knew all about this because each worked 22 in the hypercompetitive sports business. Jim Gatto was the 23 director of global sports marketing for Adidas. Adidas is a 24 billion-dollar, German sportswear company, but it was a 25 smalltime player in basketball, where Nike controlled most of</p>			
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<p>1 potential harms, including financial penalties.</p> <p>2 This is what corruption in college basketball looks 3 like.</p> <p>4 And, ladies and gentlemen, when you lie, cheat, and 5 deceive to get a college to issue financial aid, that is a 6 crime. And it is what this case is about, because over the 7 course of several years, the defendants lied, cheated, and 8 deceived, knowing that universities would issue athletic 9 scholarships to student athletes who were not eligible to pay 10 for them, who were not eligible for them because the defendants 11 had paid those students' families. And that is why we are here 12 today.</p> <p>13 Ladies and gentlemen, this opening statement is the 14 government's opportunity to give you a roadmap of the evidence 15 that you are going to see and hear in this case. I want to use 16 this opportunity to tell you in a little more detail how this 17 scheme to pay the families of student athletes worked and how 18 the schools were defrauded, how the defendants' greed led them 19 to make these corrupt payments to get students to play 20 basketball for Adidas-sponsored colleges. And I'm going to do 21 that in three parts. First, I'm going to talk about what the 22 evidence is going to show; second, I'm going to give you a 23 brief description of the charges; and, third, I'm going to talk 24 about all the different types of evidence that will prove that 25 these defendants are guilty beyond a reasonable doubt.</p>		<p>1 the market. Growing and marketing the basketball part of 2 Adidas' business was Gatto's job, and he was in charge of a 3 multimillion-dollar budget. To do that, Gatto and Adidas 4 lavishly sponsored high school and college basketball teams, 5 giving them Adidas clothes and shoes to wear, in an effort to 6 win loyalty of young players who might some day be a star.</p> <p>7 Gatto was in charge of identifying and recruiting top 8 basketball talent and convincing young players that when they 9 turn pro, they should enter into a marketing agreement with 10 Adidas, which was known in the industry as a shoe deal. It was 11 his job to try to find the next Michael Jordan or Kobe Bryant, 12 LeBron James. Gatto worked to develop relationships with top 13 players and their families starting when they were young, 14 sometimes as early as high school.</p> <p>15 In fact, Gatto oversaw an entire team at Adidas who 16 worked at developing relationships with these players. Merl 17 Code was a critical member of that team. Code had worked at 18 Nike for years, and Gatto had recruited him to compete in the 19 shoe wars, Adidas' rivalry with the other largest sneaker 20 companies, like Nike and Under Armour. And you'll learn that 21 to win the shoe wars, Gatto and Code and others sought an edge.</p> <p>22 You'll also learn that Gatto and Code worked with 23 Christian Dawkins to make some of those secret payments to the 24 families of student athletes. Dawkins was a young, aspiring 25 business manager of professional athletes. Dawkins had worked</p>			

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1	opportunity to talk to you again. But between now and then, I	2	1 of the federal government or the state government. It's not	associated with law enforcement. So what is it?	
2	am going to ask that you do three things:	3	The NCAA is just a voluntary organization made up of	4 administrators who help organize college basketball. It's like	5 a kid's after school soccer league, except if that soccer
3	First, pay close attention to the evidence;	6	6 league also brought in a billion dollars a year.		
4	Second, follow Judge Kaplan's instructions on the law;	7	7 And the rules that the NCAA writes down and puts in	8 its rule book, those aren't laws. They are the equivalent of	9 your rules in your apartment building. Yes, there are
5	and	10 consequences if you break them, but you have not committed a	11 crime.		
6	Third, use your common sense.	12	The NCAA's rule that college athletes and their	13 families may not receive anything of value in connection with	14
7	And if you do those three things, then the government	15	their son's decision about where to go to college, that's also	16 not a law. In fact, we know that. If a kid's grandfather is a	17 diehard Michigan alum and he tells his grandson, if you go to
8	will get a fair trial, the defendants will get a fair trial,	18	18 Michigan, I will buy you a new car to bring to campus. Grandpa	19 hasn't committed a crime. It's just awesome for the kid who	20 gets a new car. And if grandpa agrees to fly the kid or fly
9	and you will come to the only conclusion that is consistent	21	21 the kid's parents to visit him at Michigan every month, that	22 too, perfectly appropriate. Although maybe less awesome for	23 the kid.
10	with all of the evidence in this case: that these three	24	A supposed crime here isn't a violation of NCAA rules,	25	
11	defendants -- James Gatto, Merl Code, and Christian Dawkins --	12	because it's not against the law to violate the NCAA's rules.		
12	acted corruptly in paying the families of student-athletes and	13	The crime alleged is federal wire fraud and conspiracy to		
13	deceiving schools, and that they are guilty as charged.				
14	THE COURT: Thank you, counsel.				
15	Mr. Schachter.				
16	MS. DONNELLY: You are actually going to hear from me,				
17	your Honor.				
18	THE COURT: Good.				
19	MS. DONNELLY: Good morning.				
20	My name is Casey Donnelly, and I am working with my				
21	colleague Mike Schachter, and we are here on behalf of Jim				
22	Gatto.				
23	I would like to start by thanking you today for being				
24	here. I know that a month-long jury trial is not anyone's idea				
25	of a great time, and whatever your plans were for the next				
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1	month you have had to make significant adjustments to be here.	2	1 commit wire fraud against the universities. That's a very	2 different thing. You see, in order to make that case, the	3
2	You should know that we recognize that and we appreciate it.	4	3 government is required to prove to you beyond a reasonable	4 doubt --	5
3	Ladies and gentlemen, I want to start today by	6	THE COURT: Ms. Donnelly, the purpose of an opening	6 statement is to explain to the jury what the evidence is going	7
4	acknowledging that the story the government just told may have	7	7 to be and not to have the lawyer do the judge's job. So let's	7 get on to it.	8
5	5 made you feel like something not quite right happened here.	9	9 MS. DONNELLY: OK.		
6	6 The government made it seem like this is going to be a trial	10	10 The question that is going to matter in this case is	11 not what happened, but why it happened. What is in Jim's mind?	12
7	7 about illicit payments and backroom dealings and the knowing	13	12 What he is thinking when he helped out these families? Was he	13 hoping that his actions would cause harm and injury to these	14
8	8 violation of NCAA rules. And so I want to start today right	15	14 schools? Was he trying to harm these schools? Or, was he	15 trying to help them?	16
9	9 from the beginning to let you know that NCAA rules were broken.	17	16 Ladies and gentlemen, I submit to you that the	17 evidence will show that Jim had no intention of trying to harm	18
10	10 Jim and Adidas helped out financially a few families whose sons	18	18 these universities, but in fact was trying to help them.		
11	11 are among the most talented athletes in America. That	19	19 The evidence is going to show that from Jim's	19 perspective, this is a win-win-win situation. It's a win for	20
12	12 happened. We are not going to waste your time pretending that	21	21 the universities who end up with top-ranked plays who hopefully	21 lead the universities to basketball glory. It's a win for	22
13	13 these families did not get funds.	22	22 Jim's employer, Adidas, which is the corporate sponsor of these	23	23 universities and which would benefit from being associated with
14	14 But, ladies and gentlemen, if all the government had	23	24 a winning basketball team. And it's a win for these kids and		
15	15 to prove was that Jim helped these families, we wouldn't be				
16	16 having a month-long trial. But that's not what they have to				
17	17 prove. Jim is not charged with NCAA rule breaking. He has				
18	18 been charged with two federal offenses: Wire fraud and				
19	19 conspiracy to commit wire fraud against the universities. And				
20	20 that, ladies and gentlemen, that we are going to contest. We				
21	21 are going to fight like mad over the next month in an effort to				
22	22 help you understand that even if Jim broke an NCAA rule, that				
23	23 is a far cry from committing wire fraud.				
24	24 You see, the NCAA's rules are not the laws of this				
25	25 country. The NCAA is not the U.S. Congress. It's not a part				

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1	their families who have a little something extra in their		1	these kids' athletic talents.	
2	pocket to tide them over until their son is able to play		2	For example, you are going to learn during this trial	
3	professionally.		3	that in 2017, Louisville, one of the alleged victims in this	
4	Jim is not here to swindle these schools out of		4	case, its men's basketball program brought in nearly \$45	
5	scholarships. What Jim wants is exactly what the universities		5	million in revenue. Its head basketball coach, Rick Pitino,	
6	want. A nationally renowned basketball program, one that has		6	made \$7 million a year. In fact, coach Pitino made more money	
7	the entire campus cheering, that has the alumni pleased and		7	coaching at Louisville than he did when he coached the New York	
8	donating. And yes, one that would also lead to the sale of		8	Knicks, a professional NBA team.	
9	more Adidas-brand school sweatshirts.		9	The men's basketball team at the University of Kansas	
10	And the evidence will show that the universities were		10	brought in more than \$18 million in 2017. Kansas pays its head	
11	desperate to get these athletes to their school. You see, the		11	basketball coach, Bill Self, \$5 million a year.	
12	evidence will show that these kids bring in millions of dollars		12	And each of the apparel companies, Nike, Under Armour,	
13	in revenue. And the financial importance of basketball to		13	Adidas, they are able to sell millions of dollars in	
14	these schools, that's the part of the story that the government		14	merchandise -- T-shirts, jerseys, sneakers, you name it.	
15	didn't tell you about. But in fact, evidence concerning the		15	The kids on the court, however, the ones whose blood,	
16	financial realities of college basketball, that is key to		16	sweat and tears is making this game a billion dollar industry,	
17	understanding this world that Jim and the other folks in this		17	they are not allowed to earn a dime. And the NCAA, those	
18	case live in.		18	bureaucrats who write the rule book and have decided that the	
19	The reason that the government didn't talk to you		19	athletes themselves don't get a share --	
20	about the money that gets made from college basketball is		20	MR. MARK: Objection.	
21	because when you understand how important basketball is to the		21	THE COURT: Sustained.	
22	universities, to both their bottom line and also their sense of		22	MS. DONNELLY: The NCAA made more than a billion	
23	school identity, their sense of school spirit, once you		23	dollars in 2017.	
24	understand that, you realize that what Jim was trying to do		24	Ladies and gentlemen, we are here today because the	
25	here was not to harm these schools but, rather, to help them		25	government alleges that Jim Gatto committed two federal	
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1	recruit the kids that they very much wanted.		1	offenses when Adidas took a tiny portion of the money that it	
2	You realize that Jim didn't commit wire fraud or		2	brought in and shared it with the families of the players on	
3	conspiracy to commit wire fraud against these universities.		3	the court.	
4	The evidence will show that he is just a guy who is doing his		4	Let me give you an example. The government contends	
5	job and trying to keep the universities happy.		5	that Jim committed two felonies because he purportedly agreed	
6	So let me give you a preview of what the government		6	6 to send \$40,000 to the family of Dennis Smith, Jr. This is a	
7	didn't. Let me explain to you a little bit about what the		7	family that lived in public housing down in Fayetteville, North	
8	evidence will show about Jim's world, this world of college		8	Carolina.	
9	basketball.		9	MR. MARK: Objection.	
10	We are going to elicit evidence during this trial that		10	THE COURT: Sustained. This is not appropriate.	
11	will demonstrate that a successful basketball program is the		11	MR. MARK: Your Honor, we have actually never seen	
12	equivalent of a winning lottery ticket. A university that has		12	this PowerPoint presentation before.	
13	a successful basketball program brings in money from all the		13	THE COURT: I am not seeing a PowerPoint presentation	
14	viewers who watch it on television, whether that be on ESPN or		14	at all.	
15	whatever the channel is, that is not only the fans of the		15	MR. DISKANT: The jury can see it.	
16	school's team but also the fans of the opposing team's side.		16	THE COURT: Is the jury seeing a PowerPoint?	
17	In addition, the universities bring in money from ticket sales,		17	MS. DONNELLY: Yes, they are.	
18	from all the fans who pack the stadium. They bring in money		18	THE COURT: Counsel, in the robing room.	
19	from merchandise. Even from food. Actually, you guys are		19	(In robing room)	
20	probably all familiar with those seven dollar sodas and 16		20	THE COURT: When did this PowerPoint start?	
21	dollar hamburgers that are for sale at sporting events. That's		21	MS. DONNELLY: The PowerPoint has been projected to	
22	money in the university's pocket.		22	the jurors from the beginning of the opening.	
23	The point is the evidence is going to show that these		23	THE COURT: Has the government seen it in advance?	
24	universities want these kids to come to their schools. Why?		24	MR. SCHACHTER: We understood it was presented on the	
25	Because the universities stand to make serious money off of		25	court's screen as well. We had no idea that it was not.	

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<p>1 Q. How long have you and Ms. Malacke been together?</p> <p>2 A. 20 something years.</p> <p>3 Q. Does Ms. Malacke work?</p> <p>4 A. No.</p> <p>5 Q. Did she work at one point?</p> <p>6 A. Yes.</p> <p>7 Q. What kind of work?</p> <p>8 A. Substitute teacher.</p> <p>9 Q. Why does she no longer work?</p> <p>10 A. She has some health issues.</p> <p>11 Q. Do you and Ms. Malacke have any children?</p> <p>12 A. Yes, we have one.</p> <p>13 Q. A boy or a girl?</p> <p>14 A. A boy.</p> <p>15 Q. How old he is?</p> <p>16 A. Just turned 20.</p> <p>17 Q. What is his name?</p> <p>18 A. Brian Bowen II.</p> <p>19 Q. Does he go by any nicknames?</p> <p>20 A. Tugs.</p> <p>21 Q. Can we call him Tugs for purposes of your testimony today?</p> <p>22 A. Sure.</p> <p>23 Q. Is Tugs presently in college?</p> <p>24 A. No, he is not.</p> <p>25 Q. Why not?</p>		<p>1 A. Yes. I was the main person in training, yes, full-time.</p> <p>2 Q. Do you have a background yourself in basketball?</p> <p>3 A. I played basketball and I was a coach of high school basketball.</p> <p>4 Q. Did there come a point when you and Tugs began thinking about the prospect of him playing professionally?</p> <p>5 A. Well, it's every kid's dream. I mean, you know, when they first start playing basketball, everybody wants to go to the NBA.</p> <p>6 Q. OK. And how about the NCAA?</p> <p>7 A. That was definitely a goal of ours as well.</p> <p>8 Q. And why was the NCAA a goal?</p> <p>9 A. Well, I mean, if he got a college scholarship to go play basketball somewhere, that would definitely take a burden off of me. And the NCAA is like the main proving ground for any athlete trying to play basketball for NBA scholars.</p> <p>10 Q. Through your son, have you gained exposure to the NCAA?</p> <p>11 A. Yes.</p> <p>12 Q. Have you gained exposure to its rules?</p> <p>13 A. Yes, I have.</p> <p>14 Q. Can you just tell us a little bit, without getting into the rules themselves, about how you gained exposure to NCAA rules?</p> <p>15 A. There has been parent conferences and stuff like that that I've attended throughout the years, and they tell you the NCAA rules. And, of course, my nephew also played college</p>			
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<p>1 MR. DISKANT: Your Honor, perhaps now would be a time for us to just take a moment.</p> <p>2 THE COURT: OK. We'll take 15 minutes.</p> <p>3 THE CLERK: All rise.</p> <p>4 (Recess)</p> <p>5 THE CLERK: All rise.</p> <p>6 (Jury not present)</p> <p>7 THE COURT: OK. Let's go.</p> <p>8 (Jury present)</p> <p>9 THE CLERK: Please be seated, everyone.</p> <p>10 THE COURT: OK. The jurors all are present. The defendants are present, as they have been throughout.</p> <p>11 Mr. Bowen, you are still under oath.</p> <p>12 And there is a pending question.</p> <p>13 MR. DISKANT: With the Court's permission, I may just withdraw that and move on.</p> <p>14 THE COURT: All right.</p> <p>15 BY MR. DISKANT:</p> <p>16 Q. Mr. Bowen, what is your son currently doing?</p> <p>17 A. He's playing professional basketball in Australia.</p> <p>18 Q. When did your son first start playing basketball?</p> <p>19 A. He's played his whole life, basically since he was probably 3/4, his whole life.</p> <p>20 Q. Have you been involved at all in your son's training and development as a basketball player?</p>		<p>1 basketball, and I was involved in his process also. So --</p> <p>2 Q. And you are referring to Jason Richardson?</p> <p>3 A. Yes.</p> <p>4 Q. Through that exposure, through some of those parent conferences and the like, do you know whether the NCAA has rules that are relevant to you?</p> <p>5 A. Yes, of course.</p> <p>6 Q. Tell us about some of the rules you believe are relevant to you.</p> <p>7 MR. SCHACHTER: Objection, your Honor. Best evidence.</p> <p>8 THE COURT: Well, what is it offered for?</p> <p>9 MR. DISKANT: The defendant's knowledge -- excuse me.</p> <p>10 The witness' knowledge and understanding.</p> <p>11 THE COURT: For that purpose.</p> <p>12 Members of the jury, obviously, to the extent the rules themselves are relevant and material, that is significant to the case. The detail, the wording and so forth, they will in one way or another, no doubt, be before you at some point.</p> <p>13 But this is offered to understand what this gentleman did, what he knew when he did it, and why he did it.</p> <p>14 MR. DISKANT: And with the Court's permission, let me withdraw my prior question and ask a slightly more focused one.</p> <p>15 BY MR. DISKANT:</p> <p>16 Q. Mr. Bowen, to your knowledge, under NCAA rules, are you, as the parent of a prospective student athlete, allowed to receive</p>			

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1	payment in connection with your son?		1	A. Yes.	
2	A. No, I'm not allowed to receive payment.		2	Q. What was that connection?	
3	Q. To your knowledge, what might the consequences be for your		3	A. He was -- like Dorian was his brother. He was like the	
4	son of you receiving such a payment?		4	administrator of that team, or over the team.	
5	A. He would -- it would deem him ineligible.		5	Q. OK. And how did Tugs come to play for Dorians Pride?	
6	Q. And to your knowledge, does it matter whether or not your		6	A. Christian was asking -- you know, Tugs was one of the top	
7	son knew that you had accepted the payment?		7	players in the city and state, so, you know, he wanted him to	
8	A. No, it doesn't matter.		8	play for him.	
9	Q. Let's talk a little bit about Tugs' playing career. Did he		9	Q. How old was Tugs, approximately, or what grade was he in	
10	play for a high school team?		10	when he played for Dorians Pride?	
11	A. Yes, he did.		11	A. I would say ninth grade, I think it was, the ninth grade.	
12	Q. And in addition to playing for a high school team, did he		12	Q. Did there come a point where you and Mr. Dawkins discussed	
13	play for any additional teams?		13	the possibility of Tugs playing for a different team?	
14	A. He played you could call it club basketball, AAU		14	A. Yes.	
15	basketball.		15	Q. When was that?	
16	Q. You mentioned "AAU." What is AAU?		16	A. That would be when Tugs was like probably the beginning --	
17	A. It is amateur basketball where kids from mainly the same		17	going into his sophomore year, maybe in his sophomore year.	
18	area or same state or whatever, they travel for a team and they		18	Q. Like 2015?	
19	go to different venues and play as a team against --		19	A. Yes.	
20	competitively against other teams that have been brought		20	Q. And can you tell us a little bit about how, if at all, Tugs	
21	together in the same manner, usually sponsored by like a shoe		21	had developed as a basketball player between when he played for	
22	company, mostly circuits -- call it circuits.		22	Dorians Pride and his sophomore year?	
23	Q. So sort of like a little league?		23	A. He had grown. He was in middle school, ninth grade, he	
24	A. Yeah, kind of, basketball.		24	probably was 6'3", 6'2" and he was a very efficient shooter and	
25	Q. What was the first AAU team that Tugs played for?		25	ball handler for a guy his size. And by the time like, you	
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1	A. Jason Richardson Ballers.		1	know, into the ninth grade, ninth grade year summer, he	
2	Q. Is that the same Jason Richardson you have been telling us		2	probably had grown another three inches at least at that time,	
3	about?		3	and, you know, he was getting, you know, more national	
4	A. Yes.		4	attention, just like state attention. So, he started getting	
5	Q. And do you recall approximately how old Tugs was when he		5	ranked.	
6	played for the Jason Richardson Ballers?		6	Q. So let's talk about that last thing you just said,	
7	A. Oh, man. Fifth grade, maybe, fourth/fifth grade.		7	rankings.	
8	Q. Over the course of time, did your son play for additional		8	Are there rankings for high school players?	
9	AAU teams?		9	A. Yes, there is?	
10	A. Yes, he did.		10	Q. How high was Tugs ranked?	
11	Q. What are some of those teams?		11	A. At some point, as high as top ten in the country.	
12	A. He played for King James. He played for Mean Streets,		12	Q. Now, you mentioned that as of his sophomore year	
13	Michigan Mustangs, Dorians Pride. I think that's pretty much		13	Mr. Dawkins talked to you about the possibility of Tugs joining	
14	it.		14	another AAU team. What team was that?	
15	Q. Let's start with the last one you mentioned, Dorians Pride.		15	A. The Michigan Mustangs.	
16	You told us previously that you know someone named Christian		16	Q. And in that conversation, did Mr. Dawkins tell you why he	
17	Dawkins?		17	thought your son should join the Michigan Mustangs?	
18	A. Yes.		18	A. Yes. First, it was a good circuit, and by the players	
19	Q. How are you familiar with Mr. Dawkins?		19	therein, there was possible money to be gained from him playing	
20	A. We're from the same hometown. You know, Dawkins' family,		20	for me.	
21	his daddy is a really renowned kind of famous kind of couch at		21	Q. Did he explain how there was possible money to be gained if	
22	a really good school. Christian also played at that school,		22	your son were to play for the Michigan Mustangs?	
23	and that's it.		23	A. Basically, Adidas would pay it.	
24	Q. OK. Did he have any connection with the team, that Dorians		24	Q. Adidas would pay whom?	
25	Pride, that you were telling us about a moment ago?		25	A. Would pay me.	

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1	And the government would offer 311.		1	Q. Did you receive offers from any other AAU teams?	
2	THE COURT: 311 is received.		2	A. Yes.	
3	(Government's Exhibit 311 received in evidence)		3	Q. Which team or teams?	
4	MR. DISKANT: Ms. Lee, if we could start on page 1.		4	A. Spiece out of Indiana.	
5	And if you could highlight up top the account name, "In Your		5	Q. Is that S-p-i-e-c-e?	
6	Eye Sports Inc." And just below that, the name of the		6	A. Yes.	
7	signatory, Christopher W. Rivers.		7	Q. How much was Spiece offering?	
8	And, Ms. Lee, if we can go to page 12, and just blow		8	A. It was like 18 grand.	
9	up that check.		9	Q. Who conveyed that offer?	
10	Q. Mr. Bowen, do you recognize this check?		10	A. Christian.	
11	A. Yes, I do.		11	Q. Mr. Dawkins?	
12	Q. Did you receive this check?		12	A. Yes.	
13	A. Yes, I did.		13	Q. That was more than Mean Streets was offering?	
14	Q. Who gave it to you?		14	A. Yes.	
15	A. Chris Rivers.		15	Q. Why did you not accept the higher offer?	
16	Q. And do you see in the memo line, someone has written "Staff		16	A. I just felt that -- I mean, the first thing is always my	
17	Help."		17	son. I felt that the team at Mean Streets and the position	
18	Did you ever provide any staff help for Mr. Rivers?		18	that he would be playing was a better fit for him basketball	
19	A. No.		19	wise.	
20	Q. Did you ever provide any staff help for Adidas?		20	Q. What high school did Tugs play for?	
21	A. No.		21	A. He played two years in Saginaw, Michigan, where we are	
22	Q. After your son finished his season on the Michigan		22	from, Arthur Hill High School, and then he played two years in	
23	Mustangs, did you continue to receive money from Mr. Dawkins?		23	Indiana, La Lumiere High School.	
24	A. Yes.		24	Q. So just to be clear, Mr. Bowen, you moved to Indiana?	
25	Q. How much?		25	A. Yes.	
la4dgat4	Bowen Senior - direct	Page 545	la4dgat4	Bowen Senior - direct	Page 547
1	A. Periodically like 1,500, \$2,000 a month, whatever would		1	Q. Was La Lumiere -- is La Lumiere a public school or a	
2	come to me.		2	private school?	
3	Q. And you indicated a few moments ago that Mr. Dawkins had		3	A. It is a private school.	
4	talked with you about the possibility of representing Tugs one		4	Q. Did your son receive financial aid to attend?	
5	day if he were to become a professional, is that right?		5	A. Yes.	
6	A. Yes.		6	Q. In addition to your son's financial aid, did you receive	
7	Q. Had you made any representations in that regard?		7	any other payments in connection with your son's decision to	
8	A. I knew it was -- I mean, we -- we talked about it. We knew		8	attend La Lumiere?	
9	that's what would happen. He would be his representative.		9	A. Yes.	
10	Q. Did Tugs play for any AAU teams after his season with the		10	Q. From whom?	
11	Michigan Mustangs?		11	A. From the coach.	
12	A. Yes, he did.		12	Q. Who was the coach?	
13	Q. Who was the next team he played for?		13	A. Shane Heirman.	
14	A. He played for Mean Streets out of Chicago.		14	Q. How much money were you receiving from Shane Heirman?	
15	Q. And did Mean Streets have an apparel sponsor?		15	A. Like two grand a month.	
16	A. Nike.		16	Q. And what were you using the money for?	
17	Q. Did you receive money in connection with Tugs' decision to		17	A. Rent and expenses.	
18	play for Mean Streets?		18	Q. How did your son come to play for La Lumiere?	
19	A. Yes, I did.		19	A. A guy that I know and Christian, of course, knew. A guy	
20	Q. How much?		20	from my hometown and also Christian knew, I guess, the coach, I	
21	A. It was like 5/\$8,000.		21	guess.	
22	Q. And what was that money for?		22	Q. I just want to break that down. It sounds like you said	
23	A. Just him playing with them.		23	there was a guy you knew and then Christian?	
24	Q. How was the payment made?		24	A. Christian, yeah.	
25	A. It was cash.		25	Q. I didn't hear the end of the answer.	

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IA48GAT5	Bowen Senior - Direct	Page 568	IA48GAT5	Bowen Senior - Direct	Page 570
1	MR. DISKANT: The government offers 106D-11?		1	phone?	
2	THE COURT: Received.		2	A. Yeah, they did.	
3	(Government's Exhibit 106D-11 received in evidence)		3	Q. If we can go back to 106-D-11. This is in the late	
4	Q. Up top Mr. Dawkins says, "After you talk to Rick hit Kenny		4	afternoon on the 24th.	
5	Johnson to set up the visit details." And you say, "OK"?		5	Down later that evening, about 7:00, you text Mr.	
6	A. Yes.		6	Dawkins, 7:26 to be precise, "Hit me back." "Pick back up."	
7	Q. Who is Rick?		7	And, "Man this Adidas stuff is" -- I will let everyone read it	
8	A. Rick Pitino, the head coach.		8	for themselves.	
9	Q. Who is Kenny Johnson?		9	Focusing on the Adidas component, what were you	
10	A. Kenny is an assistant coach at Louisville.		10	referring to, "this Adidas stuff"?	
11	Q. Did you speak with Rick Pitino that day?		11	A. We had previously discussed the money about Adidas, and I	
12	A. I think so.		12	just wasn't feeling Adidas. I didn't really want to deal with	
13	Q. Leaving aside the date, do you recall talking with Mr.		13	Adidas like that.	
14	Pitino by phone during this time period?		14	Q. Why didn't you want to deal with Adidas?	
15	A. During that period I did.		15	A. I felt that -- I had a little animosity in the sense that	
16	Q. Tell us what you recall of that conversation. What did he		16	they had, I felt, slighted my son on a spot in the All-Star	
17	say to you and what did you say to him?		17	Game, that they invited a lot guys and they didn't invite him,	
18	A. Just, you know, he told me, of course, about Donovan		18	and I thought he should have been invited.	
19	leaving and what kind of player he thought my son was, and how		19	Q. Did there come a point when you and Tugs planned a visit to	
20	he thought he could further his career and make him a better		20	Louisville?	
21	player and turn him into a long-term pro, basically, NBA		21	A. Yes.	
22	player.		22	Q. When was the visit scheduled to occur?	
23	Q. During that call with Mr. Pitino, what, if anything, did		23	A. 29th, I think.	
24	you say about your plan to receive a payment from Adidas?		24	Q. May 29?	
25	A. Nothing.		25	A. Yes.	
IA48GAT5	Bowen Senior - Direct	Page 569	IA48GAT5	Bowen Senior - Direct	Page 571
1	MR. DISKANT: If we can bring up for the witness only		1	Q. Do you remember what day of the week that was?	
2	what has been marked as Government Exhibit 106-A.		2	A. Monday. I'm pretty sure it was a Monday.	
3	Q. Mr. Bowen, do you recognize this chain?		3	MR. DISKANT: At this time, the government would	
4	A. Yes.		4	offer -- we haven't documented it, but pursuant to a	
5	Q. It's between you and Coach Pitino?		5	stipulation between the parties, what has been marked for	
6	A. Yes, it is.		6	identification as Government Exhibit 58 and offer as an aid to	
7	Q. On the same date, May 24, 2017?		7	the jury Government Exhibit 58T.	
8	A. Yes.		8	THE COURT: Hearing no objection, 58 is received, 58T	
9	MR. DISKANT: The government offers Government Exhibit		9	as well.	
10	106-A.		10	(Government's Exhibits 58 and 58T received in	
11	THE COURT: Received.		11	evidence)	
12	(Government's Exhibit 106-A received in evidence)		12	THE COURT: Members of the jury, you will remember	
13	MR. DISKANT: With the Court's permission, if we could		13	it's the audio recording that is the evidence. The transcript	
14	publish that, Ms. Lee.		14	is only an aid to you in listening.	
15	THE COURT: Yes.		15	MR. DISKANT: If the Court would direct the jurors,	
16	Q. Mr. Bowen, this is you on the right and Coach Pitino on the		16	they should have a transcript binder.	
17	left?		17	THE COURT: Yes. You should have that binder, and	
18	A. Yes.		18	Government Exhibit 58T should be in it.	
19	Q. And you write, "Coach, are you available to talk to Tugs		19	MR. DISKANT: It will also be on your monitors, if	
20	right quick?"		20	that is easier for you.	
21	A. Yes.		21	Ms. Lee, if we could publish that when you have a	
22	Q. And "Brian, we call him Tugs," you're referring to your		22	moment.	
23	son?		23	THE COURT: Are we all set?	
24	A. Yes.		24	MR. DISKANT: We can come back to this, Judge.	
25	Q. To your knowledge, did Coach Pitino and your son speak by		25	THE COURT: The stipulation covers the attribution?	

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JAMES GATTO,*

*CORRECTED
October 9, 2018*

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IA98GAT2	Bowen Senior - Direct	Page 620	IA98GAT2	Bowen Senior - Direct	Page 622
1	Senior and Christian Dawkins, dated August 16, 2017, and offer		1	15, after he says, "How am I going to get this shit," two lines	
2	as an aid to the jury Government Exhibit 51T, which is a		2	below you say, "I'm going to call you on my other phone."	
3	transcript of that call.		3	Do you see that?	
4	THE COURT: Received.		4	A. Yes.	
5	MR. DISKANT: With the court's permission we could		5	Q. What are you referring to.	
6	publish the transcript, and I believe the jurors should have		6	A. The bat phone.	
7	copies of it in their binder.		7	MR. DISKANT: Ms. Lee, if we can play the second clip	
8	THE COURT: Turn to Government Exhibit 51T, members of		8	of that call which begins on page 5 of the transcript.	
9	the jury. Same instruction as before with respect to the		9	(Audio played)	
10	transcript and the recording.		10	BY MR. DISKANT:	
11	(Government's Exhibits 51 and 51T received in		11	Q. Mr. Bowen you and Mr. Dawkins both used a phrase "one and	
12	evidence)		12	done."	
13	(Audio played)		13	What does that mean?	
14	BY MR. DISKANT:		14	A. That's going to college for one year and then going to the	
15	Q. Mr. Bowen, do you recognize the voices on the recording?		15	pros the next year.	
16	A. Yes.		16	Q. When you said Tugs can be one and done, what did you mean	
17	Q. Who do you recognize them to be?		17	by that?	
18	A. Myself and Christian.		18	A. He can go to school for one year and then get drafted.	
19	Q. At the time of this call did you know you were being		19	It's possible.	
20	recorded?		20	Q. I want to turn back to Adidas and the \$100,000. Remind us,	
21	A. No.		21	were you expecting to receive all of that money at once or in	
22	Q. For this call were you using your regular phone or your bat		22	installments?	
23	phone?		23	A. In installments.	
24	A. Regular phone.		24	Q. How many installments?	
25	Q. When you and Mr. Dawkins would talk about money on your		25	A. Four.	
IA98GAT2	Bowen Senior - Direct	Page 621	IA98GAT2	Bowen Senior - Direct	Page 623
1	regular phone, would you use the term money typically?		1	Q. Of how much?	
2	A. No.		2	A. 25,000.	
3	Q. How would you typically describe things like money when		3	Q. Did there come a point when you received the first	
4	using your regular phone?		4	installment?	
5	A. Shit or just slang words.		5	A. Yes.	
6	Q. Did you have conversations using those kind of slang words		6	Q. When, approximately, was that?	
7	on more than one occasion with Mr. Dawkins?		7	A. In July.	
8	A. Say that again.		8	Q. Where did you receive it?	
9	Q. Did you have conversations using that type of slang on more		9	A. In New Jersey.	
10	than one occasion with Mr. Dawkins?		10	Q. Who did you receive it from?	
11	A. Yes.		11	A. Munish Sood.	
12	Q. Focusing your attention on the portion of the call we just		12	Q. Who is Munish Sood?	
13	listened to, when Mr. Dawkins said to you, "How am I going to		13	A. He is like business partner of Christian's, like a money	
14	get you this shit," did you understand what he was saying?		14	guy, I guess.	
15	A. Yes.		15	MR. DISKANT: At this time the government would offer	
16	Q. What did you understand him to be saying?		16	and seek to publish Government Exhibit 23, which is a recording	
17	A. How he was going to get me some money.		17	of a call between Brian Bowen and Christian Dawkins, dated July	
18	MR. DISKANT: Ms. Lee, if we can continue playing the		18	7, 2017, and offer as an aid to the jury Government Exhibit	
19	call.		19	23T.	
20	(Audio played)		20	THE COURT: They will be received. The same	
21	BY MR. DISKANT:		21	instruction with the transcript and tape.	
22	Q. Mr. Bowen, in that portion of the call we just listened to,		22	MR. DISKANT: The jury should have a copy of this	
23	what are you and Mr. Dawkins discussing?		23	transcript in their binder, but we will have it on their	
24	A. The \$2,000.		24	screen.	
25	Q. Turning back to page 1 for just a moment, on lines 14 and		25	THE COURT: Please turn to Government Exhibit 23T.	

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IA98GAT2	Bowen Senior - Direct	Page 624	IA98GAT2	Bowen Senior - Direct	Page 626
1	(Government's Exhibits 23 and 23T received in evidence)		1	THE COURT: Received.	
2			2	(Government's Exhibit 106D-18 received in evidence)	
3	MR. DISKANT: Ms. Lee, if we can play the first clip which begins on page 1.		3	MR. DISKANT: With the court's permission if we can publish that, Ms. Lee.	
4			5	THE COURT: Yes.	
5	(Audio played)		6	BY MR. DISKANT:	
6	MR. DISKANT: Ms. Lee, if we can play the second clip which begins on page 6 of the transcript at line 13.		7	Q. So starting at the top, Mr. Bowen, this is Mr. Dawkins in the gray on the left and you in the blue on the right, correct?	
8	(Audio played)		8	A. Yes.	
9	MR. DISKANT: Can we pause here.		10	Q. "When are you going?"	
10	BY MR. DISKANT:		11	"Probably today at 1."	
11	Q. Mr. Bowen, during this call were you using your regular phone or your bat phone?		12	MR. DISKANT: Ms. Lee, if we can scroll down a little bit.	
12			14	Q. Mr. Dawkins asks you what airport you would be flying into.	
13	A. Regular phone.		15	You respond, "LaGuardia. I'm going to call you in a minute now. The price doubled."	
14	Q. When Mr. Dawkins says to you, "What is your plans for being able to get something," did you understand what he meant?		17	Do you see that?	
15			18	A. Yes.	
16	A. Yes.		19	Q. Did you have a phone conversation with Mr. Dawkins that morning?	
17	Q. What did you understand him to be asking?		21	A. Yes.	
18	A. How could he get me, you know, money, some of the money.		22	MR. DISKANT: The government would offer Government Exhibit 25, which is a call between Brian Bowen and Christian Dawkins that morning, July 11, 2017, and as an aid to the jury what has been marked as Government Exhibit 25T.	
19	MR. DISKANT: Ms. Lee, can we keep going.				
20	(Audio played)				
21	MR. DISKANT: Ms. Lee, if we can play the final clip of this call which begins on page 12, line 19.				
22					
23	(Audio played)				
24	BY MR. DISKANT:				
25	Q. Mr. Bowen, if we can go back to page 13 of the transcript				
IA98GAT2	Bowen Senior - Direct	Page 625	IA98GAT2	Bowen Senior - Direct	Page 627
1	for just a minute.		1	THE COURT: Both received.	
2	In this conversation you and Mr. Dawkins talk about		2	Same instruction, members of the jury.	
3	you traveling to New York. Why did you need to travel to New		3	Turn to Government Exhibit 25T in your books, if you	
4	York?		4	wish.	
5	A. To meet Munish.		5	(Government's Exhibits 25 and 25T received in evidence)	
6	Q. And Mr. Dawkins says to you, at line 4, "He may have 25 on		7	(Audio played)	
7	him right now."		8	BY MR. DISKANT:	
8	How much money were you expecting to receive in New		9	Q. Mr. Bowen, in this call Mr. Dawkins says, "You're about to	
9	York?		10	get some money, you're about to get some racks."	
10	A. 25,000.		11	What was the purpose for your trip to New York?	
11	Q. Did you make plans to travel to New York?		12	A. To pick up money, 25,000.	
12	A. Yes, I did.		13	Q. Down below, at lines 20 through 22, you say -- actually	
13	Q. How did you get there?		14	starting a little bit above that, you say at line 14, "Let me	
14	A. A flight.		15	use my other phone."	
15	MR. DISKANT: If we can bring up for the witness only		16	Then down below that, "I don't trust this phone."	
16	what has been marked for identification as Government Exhibit		17	Mr. Bowen, at the time this call was made, did you	
17	106D-18.		18	know your call was being recorded?	
18	Q. Mr. Bowen, you should have a hard copy there in front of		19	A. No.	
19	you if that is easier.		20	Q. At the time you said "I don't trust this phone," did you	
20	Mr. Bowen, do you recognize this chain?		21	believe that the NCAA had the ability to intercept your calls?	
21	A. Yes, I do.		22	A. No.	
22	Q. This is a chain between you and Mr. Dawkins dated July 11,		23	Q. Did you believe the University of Louisville did?	
23	2017?		24	A. No.	
24	A. Yes.		25	Q. Did you make it to New York?	
25	MR. DISKANT: Government offers 106D-18.				

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la9dgat3	Bowen Senior - cross	Page 640	la9dgat3	Bowen Senior - cross	Page 642
1 A.	I played, yes.		1 you	money to cause your son to go to a basketball school where	
2 Q.	And your primary goal for your son that you worked with		2 it wouldn't be a good fit for him?		
3 from the point where he was young and small was that he would			3 THE COURT:	Well, you have asked two different	
4 go where he could find the best basketball fit, is that			4 questions now.		
5 correct?			5 MR. HANEY:	I am trying to clarify the question for	
6 A.	He wanted to play college basketball, of course.		6 the government and the witness, your Honor. If you want, I can		
7 Q.	I'll ask that question a little bit easier for two		7 rephrase the question.		
8 basketball guys to understand.			8 THE COURT:	Please do.	
9 You wanted your son to go somewhere he was going to be			9 MR. HANEY:	Thank you, your Honor.	
10 a guard, didn't you, at six-foot-seven?			10 BY MR. HANEY:		
11 A.	That would have worked out well for him, of course.		11 Q.	Mr. Bowen, would you agree there is nobody who could have	
12 Q.	Because that's what he would been playing in the NBA,		12 offered you money to influence your son to go to a situation		
13 right?			13 where it would have been a bad basketball fit for him?		
14 A.	You never know when you get to the NBA how they put you.		14 THE COURT:	The problem with the question, Mr. Haney,	
15 That's what I wanted for him, but I don't know what the NBA			15 is this. Somebody could have offered him money to become a		
16 would do.			16 playboy bunny but it probably wouldn't have worked out. You		
17 Q.	You didn't want him to go to a situation in college where		17 are just phrasing it in terms of could somebody have offered		
18 they might put him at the forward position, did you?			18 him money. That is not what you are getting at.		
19 A.	No. Of course not.		19 MR. HANEY:	Would you have made -- may I ask another	
20 Q.	And by best basketball fit, as you stated, that meant play		20 question, your Honor?		
21 guard and not have a lot of other guys playing his position at			21 THE COURT:	Of course.	
22 whatever school he would go to, correct?			22 MR. HANEY:	Thank you, sir.	
23 A.	I wanted him to have opportunities, sure.		23 Q.	Mr. Bowen, you would have not made a decision, would you	
24 Q.	Well, you used the term "logjam" if I recall, did you not?		24 have, based on money that would have resulted in your son being		
25 A.	I don't recall that.		25 in a bad basketball situation?		
la9dgat3	Bowen Senior - cross	Page 641	la9dgat3	Bowen Senior - cross	Page 643
1 Q.	If you say log-jammed at a position, that means there are		1 A.	You said I wouldn't have made a decision?	
2 too many guys playing that position at a particular university;			2 Q.	You would not have advised your son to go to that type of a	
3 is that a fair statement?			3 situation, correct, based on money?		
4 A.	Yes.		4 A.	Of course.	
5 Q.	And you mentioned that at the University of Arizona that		5 Q.	Of course not, right?	
6 certain circumstances occurred that caused that situation to be			6 A.	Not, correct.	
7 a logjam of guards; do you remember that?			7 Q.	And your son ended up at the University of Louisville	
8 A.	Vaguely. I vaguely remember it.		8 because you two felt there was a good basketball fit at		
9 Q.	Well, is that true or not? I don't want to put words in		9 Louisville, correct?		
10 your mouth sir.			10 A.	It was a good basketball fit, yes.	
11 A.	I can't say verbatim, but yes.		11 Q.	And you all ended up at Louisville because that's where	
12 Q.	Thank you. Would you agree with me, Mr. Bowen, that nobody		12 your son wanted to go to school, correct?		
13 could have offered you money to influence your son to go to a			13 A.	Yes.	
14 situation that would have been a bad basketball fit for him,			14 Q.	So neither you nor Ms. Malecke nor Christian Dawkins ever	
15 would they have?			15 made Tugs Bowen go to Louisville, did you?		
16 MR. DISKANT:	I don't understand that question.		16 A.	I mean, I never made him but, I mean, I'm his father.	
17 A.	State that again. I don't understand.		17 Whatever he does, I'm sure I influenced him.		
18 THE COURT:	Sustained.		18 Q.	But it was his choice to go there; is that right or wrong?	
19 Q.	Would you agree, Mr. Bowen, that nobody could have		19 A.	Yes, it's his choice, but I'm sure I had influence with	
20 influenced your decision with respect to your son to go to a			20 him.		
21 situation where there would be a bad basketball fit?			21 Q.	And when Tugs made that decision to go to Louisville, you	
22 MR. DISKANT:	The same objection.		22 felt that it was a good decision in picking the University of		
23 THE COURT:	Overruled.		23 Louisville, didn't you?		
24 A.	OK. Say that again. I'm sorry.		24 A.	I agreed with it.	
25 Q.	Would you agree nobody could have influenced you or offered		25 Q.	And there was no doubt that you believed that University of	

In The Matter Of:
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IAF8GAT3	Harksen - Direct	Page 1282	IAF8GAT3	Harksen - Direct	Page 1284
1	We will need to set them up as a vendor. Do you need the forms?"		1	A. There is.	
3	Ms. Lee, if we can publish Government Exhibit 1075.		2	Q. Is that the series of numbers above Mr. Gatto's signature?	
4	Highlight the top two-thirds of the e-mail.		3	A. Yes.	
5	Starting at the bottom, Jim Gatto to Olivia Guidera,		4	Q. Are you familiar with this particular budget code?	
6	Thursday, July, 6, 2017. "Did we combine two invoices for them? Didn't we have a 25k and another for 5k?"		5	A. Yes.	
8	Then the response above: "Merl combined the two into one invoice."		6	Q. Who is the budget manager or the budget owner for this budget code?	
10	BY MR. DISKANT:		8	A. Jim Gatto.	
11	Q. Ms. Harksen, you testified that you became involved in handling a Karolina Khaos invoice towards the end of July 2017?		9	Q. If supporting documentation explaining what the expense is for is required who, if anyone, at Adidas is required to request it?	
13	A. Correct.		12	A. The budget owner, Jim Gatto.	
14	MR. DISKANT: Ms. Lee, can we bring up what is in evidence as Government Exhibit 1079.		13	Q. Ms. Harksen, at the time that you signed this invoice, what, if anything, did you know about a scheme to use Adidas money to pay the family of a student-athlete named Brian Bowen?	
16	Starting at the top, this is an e-mail from Trevor Ames to Jim Gatto, Wednesday, July 26, 2017. "Sent it in today. They should be seeing payment soon."		16	MR. MOORE: Objection.	
19	Ms. Lee, can you go to the second page?		17	THE COURT: Overruled.	
20	Q. Ms. Harksen, is this the same invoice we were looking at a little bit earlier with your signature on it?		18	A. I had no knowledge.	
22	A. Yes.		19	Q. Had you received an invoice that indicated that a payment was intended to be given to the family of a student-athlete in connection with his decision to attend an Adidas-sponsored school, would you have signed it?	
23	Q. Remind us, who else has signed this?		23	A. No.	
24	A. Jim Gatto.		24	Q. What, if anything, would you have done?	
25	Q. What, if anything, would you have done before signing this		25	A. I most likely would have escalated it to my manager.	
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1	particular document?		1	Q. Why?	
2	A. I would have made sure that the budget owner had signed off on it, that there was a vendor number, that there was a budget code, and that it was an appropriate budget code.		2	A. Because I recognize that it's a violation of NCAA regulation and Adidas policy.	
5	Q. So let's talk about each of those.		4	Q. In preparation for your testimony today, have you reviewed other invoices paid by Adidas to the Karolina Khaos?	
6	You said you would have made sure that the budget owner had signed off. Is the budget owner here Jim Gatto?		6	A. Yes.	
8	A. Yes.		7	MR. DISKANT: Ms. Lee, if we can bring up for the witness only what has been marked for identification as Government Exhibit 1004.	
9	Q. What is the significance, if any, to you that the budget owner has signed off?		10	Q. Ms. Harksen, do you recognize this document?	
11	A. They just validate that it's an invoice that needs to be paid by Adidas.		11	A. Yes.	
13	Q. In the course of your job, do you have any firsthand knowledge of what this particular payment is for?		12	Q. Is this another invoice submitted to Adidas by the Karolina Khaos?	
15	A. I do not other than what is listed in the description.		14	A. It is.	
16	Q. So July travel team expenses?		15	MR. DISKANT: The government offers 1004.	
17	A. Correct.		16	MR. MOORE: No objection.	
18	Q. Do you have any firsthand knowledge of what those particular expenses were?		17	THE COURT: Received.	
20	A. No.		18	(Government's Exhibit 1004 received in evidence)	
21	Q. What, if anyone, at Adidas would be responsible for verifying that information?		19	MR. DISKANT: At this time, the government would like to play a portion of a call, which is Government Exhibit 12, and offer as an aid to the jury Government Exhibit 12T, which the jurors should have in their binders.	
23	A. On this invoice it would be Jim Gatto.		23	THE COURT: Is this in evidence?	
24	Q. The next thing is you have talked at some length about budget codes today. Is there a budget code on this document?		24	MR. DISKANT: I am offering it.	
25			25	MR. MOORE: No objection.	